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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION

Comar Marine Corp.

Civil Action No. 6:09-cv-1438 (Lead)  
6:12-cv-1533 (Member)

versus

Judge Richard T. Haik, Sr.

Raider Marine Logistics, LLC, et al

Magistrate Judge C. Michael Hill

MEMORANDUM RULING


Before the Court is a Motion For Summary Judgment filed by JPMorgan Chase Bank, N.A. ("Chase Bank") [Rec. Doc. 213] and a Memorandum in Opposition filed by Comar Marine, L.L.C. ("Comar") [Re. Doc. 225]. For the reasons that follow, the motion will be granted.

Comar instituted this action in order to recover amounts due from defendants for their refusal to pay Comar amounts it alleges are due under the vessel management agreements between the defendants and Comar ("the Agreements"). Comar asserted maritime liens against the CONQUEROR, RAIDER, and ENFORCER ("the Vessels"). In the motion at bar, Chase Bank moves the Court to grant it summary judgment rejecting the maritime liens of Comar against the vessels.

On July 11, 2011, the Court considered a motion for partial summary judgment filed by defendant Allegiance Bank Texas ("Allegiance"). *R. 158*. Allegiance held a preferred mortgage lien on the MARAUDER. In its motion, Allegiance argued that maritime law precluded Comar from asserting maritime lien rights against the MARAUDER. The Court agreed holding that Comar's management agreements did not give rise to a maritime lien, but even if they did, Comar was a joint venturer with the vessel owners and was precluded from holding a maritime lien under *Sasportes v. M/V Sol de Copacabana*, 581 F.2d 1204 (5<sup>th</sup> Cir. 1978). Thus, the Court granted Allegiance's motion for summary judgment and

dismissed Comar's *in rem* claims rights against the MARAUDER.

Accordingly, based on the jurisprudence cited and for the reasons provided in the Court's July 11, 2011 Ruling, *R. 158*, the Court will grant Chase Bank's Motion For Summary Judgment and dismiss Comar's maritime liens against the CONQUEROR, RAIDER, and ENFORCER.



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Richard T. Haik, Sr.  
United States District Judge